

SENATE BILL 3522

By Herron

AN ACT to amend Tennessee Code Annotated, Title 39,
Chapter 17; Title 49, Chapter 5 and Title 49,
Chapter 6, relative to steroid abuse.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 4, is amended by inserting a new, appropriately designated section as follows:

§ 49-6-4__.

(a) Any athletic association that sponsors a tournament championship series in which public schools participate shall develop, implement, and enforce rules requiring that a student-athlete be ineligible for two (2) school years to compete in interscholastic athletic competition, if it is determined by the school principal and the director of schools that the student used anabolic steroids during the training period immediately preceding or during the sport season of the athletic team, unless such steroid was prescribed by a licensed physician for a medical condition.

(b) As used in this section, unless the context otherwise requires:

(1) "Anabolic steroid" means a controlled substance as defined in § 39-17-410(f); and

(2) "Student-athlete" means a student participating in interscholastic athletics.

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 6, Part 12, is further amended by inserting a new, appropriately designated section as follows:

§ 49-6-12__.

Every LEA shall establish a program of instruction in relation to the prevention of abuse of anabolic steroids in grades seven (7) through twelve (12) and shall include

such instruction in science, health, drug abuse, physical education or other appropriate courses of study. LEA's shall also provide this instruction to students who participate in interscholastic athletic programs. The instruction shall emphasize that the use of anabolic steroids presents a serious health hazard to persons who use steroids to enhance athletic performance or physical development. The state board of education may assist in the development of instructional materials and teacher training in relation to steroid abuse prevention.

SECTION 3. Tennessee Code Annotated, Section 39-17-430(b)(1)(A), is amended by deleting the language "or" following the language";".

SECTION 4. Tennessee Code Annotated, Section 39-17-430(b)(1)(B), is amended by deleting the language "." and substituting instead the language "; or".

SECTION 5. Tennessee Code Annotated, Section 39-17-430(b)(1), is amended by inserting as a new subdivision (C) the following:

(C) Knowingly, with the intent to compromise the outcome of an athletic competition, procure, sell, or administer anabolic steroids or cause such drugs to be procured, sold, or administered to a student who is a member of a school athletic team.

SECTION 6. Tennessee Code Annotated, Section 49-5-501(3)(D), is amended by deleting the language "or".

SECTION 7. Tennessee Code Annotated, Section 49-5-501(3)(E), is amended by inserting the language "or" following the language ";".

SECTION 8. Tennessee Code Annotated, Section 49-5-501(3), is amended by inserting as a new subdivision (F) the following:

(F) Knowingly, with the intent to compromise the outcome of an athletic competition, procuring, selling, or administering anabolic steroids or causing such

drugs to be procured, sold, or administered pursuant to § 39-17-430 to a student who is a member of a school athletic team;

SECTION 9. Tennessee Code Annotated, Title 49, Chapter 6, Part 43, is amended by inserting a new section designated as follows:

§ 49-6-4303.

(a) Every teacher observing or otherwise having knowledge of anabolic steroid use by a student shall report such drug use immediately to the principal of such school. Every principal having direct knowledge of anabolic steroid use by a student or receiving a report of such drug use shall report the drug use immediately to the local law enforcement agency having jurisdiction.

(b) The report made to the law enforcement agency shall include, if known, the name and address of the offender or suspected offender, and the name and address of any person who may have procured, sold, or administered the drug to the student. The report shall also contain whatever additional information is requested by the law enforcement agency.

SECTION 10. Tennessee Code Annotated, Section 49-5-501(7)(C), is amended by deleting the language "or".

SECTION 11. Tennessee Code Annotated, Section 49-5-501(7)(D), is amended by inserting the language "or" following the language ";".

SECTION 12. Tennessee Code Annotated, Section 49-5-501(7), is amended by inserting a new, appropriately designated subdivision (E):

(E) Failure to report use of anabolic steroid by a student to the school principal or the director of schools as required by § 49-6-4303;

SECTION 13. Tennessee Code Annotated, Section 49-5-511(a), is amended by inserting a new, appropriately designated subdivision (6):

(6) Any person whose administrative or teaching license is suspended or revoked by the board for conduct unbecoming to a teacher as defined in § 49-5-501(3)(F) or for insubordination as defined in § 49-5-501(7)(E) shall be ineligible for employment in the public schools of the state of Tennessee for three (3) school years.

SECTION 14. Tennessee Code Annotated, Section 39-17-417(d), is amended by adding a new subdivision thereto, as follows:

(3) A violation of § 39-17-430(b)(1)(C) with respect to an anabolic steroid is a Class C felony and, notwithstanding § 40-35-111, may be fined not more than two hundred fifty thousand dollars (\$250,000).

SECTION 15. This act shall take effect July 1, 2008, the public welfare requiring it.